

REMARKS

Claims 1 - 26 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-10 and 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Enick et al (U.S. Pat. No. 6,183,815). This rejection is respectfully traversed.

Claim 1 has been amended to call for a method of fabricating a layer of a substance on a substrate comprising depositing the substance on the substrate using carbon dioxide in a supercritical condition. This amendment is supported throughout the specification as filed, and particularly, at page 16 where it states that the present invention can be used under temperature and pressure conditions such that the carbon dioxide is in a supercritical condition. Enick fails to disclose such a method.

More specifically, Enick merely teaches that liquid carbon dioxide can be used as a solvent. There is no teaching, suggestion, or motivation in the disclosure of Enick that would lead one skilled in the art to modify his teachings to arrive at the claimed method of fabricating a layer of a substance on a substrate using carbon dioxide in a supercritical condition. Because Enick fails to teach or suggest such a method, the claimed invention would not have been obvious.

Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

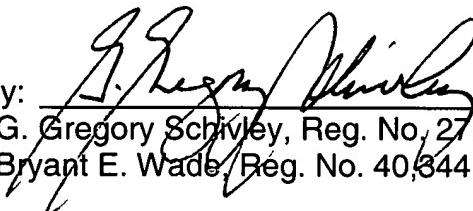
The Examiner states that claims 11-13 and 17-26 would be allowable if rewritten in independent form. Applicants acknowledge, with thanks, the allowable subject matter of these claims. Notwithstanding, Applicants have elected to amend claim 1 to distinguish the claimed method from the teachings of Enick. Favorable consideration of these amendments is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 20, 2005

By: 
G. Gregory Schivley, Reg. No. 27,382
Bryant E. Wade, Reg. No. 40,844

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GGS/BEW/JAH